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**From:** Kupchan, Simma [Kupchan.Simma@epa.gov]  
**Sent:** 12/3/2020 5:01:28 PM  
**To:** Calli, Rosemary [Calli.Rosemary@epa.gov]  
**Subject:** FW: Action requested: Deliberative -Decision Document - Action Memo.docx  
**Attachments:** Decision Document - Action Memo\_CLEANv3owow sak.docx

**Flag:** Follow up

I had a few last minute catches. Would you be able to incorporate my last few tweaks? Thanks!

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
WJC North Building # 7426Q  
202-564-3105

-----Original Message-----

**From:** Goodin, John <Goodin.John@epa.gov>  
**Sent:** Wednesday, December 2, 2020 1:30 PM  
**To:** Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Simons, Andrew <Simons.Andrew@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Barnet, Henry <Barnet.Henry@epa.gov>  
**Cc:** Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Fisher, Mike <Fisher.Mike@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>  
**Subject:** RE: Action requested: Deliberative -Decision Document - Action Memo.docx

DELIBERATIVE

Thanks, Jeaneanne-- I think the framework looks good and I include only a few nits in the attached. My sense is that the leadership team would prefer to review a version where the several missing summaries (noted in brackets) are filled in. Since those appear to be detailed in the forthcoming relevant attachments, can those brief (anticipated) summaries be filled in now for their review as part of a near final draft? Even if that would punt the schedule a day or so, I think it would be worth it. Feel free to call if you'd like to chat.

Thanks again,  
John

-----Original Message-----

**From:** Neugeboren, Steven <Neugeboren.Steven@epa.gov>  
**Sent:** Wednesday, December 02, 2020 10:35 AM  
**To:** Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Simons, Andrew <Simons.Andrew@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Barnet, Henry <Barnet.Henry@epa.gov>; Goodin, John <Goodin.John@epa.gov>  
**Cc:** Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Fisher, Mike <Fisher.Mike@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>  
**Subject:** RE: Action requested: Deliberative -Decision Document - Action Memo.docx

OGC Water Law Office has no comments on the document. Thanks.

Steven Neugeboren  
Associate General Counsel for Water  
United States Environmental Protection Agency Mailcode 2355A  
1200 Penn. Ave., N.W.  
Washington DC 20460  
(202) 564-5488

-----Original Message-----

**From:** Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>  
**Sent:** Tuesday, December 1, 2020 12:18 PM

To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Simons, Andrew <Simons.Andrew@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Barnet, Henry <Barnet.Henry@epa.gov>; Goodin, John <Goodin.John@epa.gov>  
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Fisher, Mike <Fisher.Mike@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>  
Subject: Action requested: Deliberative -Decision Document - Action Memo.docx

Deliberative

All,

Attached please find a draft Decision Document - Action Memo for the 404 Assumption Request from FL. Please review and provide any comments/concerns you have to me by COB tomorrow.

Also, please see the schedule below regarding our proposed process to forward and get input on the remaining documents for the assumption action. The schedule sets out when we anticipate information coming to you and the time you will have for review prior to our transmitting to senior leaders - it is tight but necessary to meet our December 17 deadline. I hope this information is helpful to you as you plan for review in your offices. What is not included in the schedule below is the NHPA Programmatic Agreement and the Federal Register Notices. Anticipated schedules for those documents will be incorporated in a final version this afternoon which I will forward to you. Please let me know if you have concerns with this schedule as I plan to share it on our bi-weekly tomorrow morning. Also, please let me know if you want me to include anyone else on these emails - otherwise I will use this same email list for future transmittals.

Thanks  
Jeaneanne

## Ex. 5 Deliberative Process (DP)

